

May 2025

Planning & Zoning Meeting

Minutes

Attendance: David Higgins, Bonnie Sumner, Tim Koenig, Scott Scholes, Ken Nevius, Keith Hillburn, Rick Anderson, Merle Fawcett, Scott Gallart

Meeting came to order at 6pm by President David Higgins. Everyone stood and recited the Pledge of Allegiance.

Roll Call...only one missing was John Stauffer.

The minutes were brought up by David. One mistake from the April minutes was writing 1,000 and 1,200 square feet for Bel Arco apartments. Change square feet to dollars of rent on a monthly basis. Rick motioned for the April minutes to be approved and Keith seconded. All approved.

David asked if anyone had any new business for the meeting. A citizen stood and asked about the surveying that had been done on the open lot next to the old Arvest Bank. Was this for a new Casey's gas station? Keith said that it there was surveying done there and that the lot was purchased, but we could not comment on what it was for at this time.

David brought up the meeting in April with the resort owners. David said that he thought it was an excellent meeting. What about a follow-up meeting. Keith mentioned that the Chamber needed to promote the city more for the resort owners to have more customers. Rick said we should leave Planning & Zoning out of that. It is not our responsibility to get involved with that. The city can make a lot of money on taxes if we can bring more tourists into town.

David called on Rick to talk about the Zoom class/training on planning and zoning. Rick handed out an outline of what the class went over. The first few pages are the Differences Between Future Land Use Plan & Zoning Ordinance. Then a page on What Questions Should I Ask? Rick said we need enforcement if we are to be successful. Currently in the Code Book the enforcement is at the end. It should

be brought up to the forefront. Keith reiterated that the enforcement needs to be emphasized.

Regarding questions about rezoning requests there are a number of things we need to consider regarding this. Questions we need to consider are... is a request in line with our comprehensive plan? Is it compatible with the location and permits. We can do some things for the citizens. One is a variance, but we need to be careful about issuing a them. We have to consider if there might be a hardship for someone living nearby or the owner themselves. A Conditional Use request can only be made by the original homeowner. The permit cannot be sold or added to a new homeowner. David emphasized that it is only for the original homeowner and the land. If the land is sold a new Conditional Use permit would need to be applied for. Scott asked if anyone in the class asked if it is feasible to add more applications into a particular zone. Such as if an R1 you can expand the applications to include R2. C2 could add in an R3. Can be written into those zones without changing them. Rick said that could be done if it is consistent with our plan.

Scott said we could make this a permanent thing. Keith said that would be opening up a can of worms for this city. It would not be beneficial to Bull Shoals. Scott said that we would simply be expanding the type of businesses within a C2 as an example. If an R3 would be built into an C3...we wouldn't need to take these zones one at a time or deal with various variances. Rick said that he could see that with our C2 zones. Apartments and resorts could be lumped together. Scott said the map is 25 years old. Scott wants to simplify the process. Make it an easier process.

Rick said that we would have to look carefully at all C2 properties to make sure it is consistent across the board. Needs to be a blanket policy. Rick said it will take time to implement this plan.

David said that he thought the attendees got a lot out of the class. We need to make sure the City has the money to fund these classes for any new members that want to take them. David asked if they had been invoiced for the class? Rick

said they had. David said they could submit the invoices to City Hall and they would probably pay them directly.

David said that agenda has the C4 resorts on it, but he wasn't sure if we needed to go over that in more detail since we already have discussed it. David did add that he had talked with the lawyer for the Bel Arco property, Ben Burnett. He is willing to help us write something up if needed. Our city lawyer said that we make sure he looks at anything that is brought before the city. Keith said he didn't like that David talked to Mr. Burnett about this because it is a conflict of interest. Bonnie added in that she saw no problem with asking him to help us get the wording right. Anything we do needs to be approved by the City Council anyway. She added if someone is willing to help at no charge why not take it?

Mayor Stahlman mentioned that Mr. Burnett was here representing Bel Arco. Bonnie reiterated that she was just looking for lawyerly advice free of charge.

David then asked Building Inspector Danny Caldwell if he had anything for the committee? He did not at this time. Rick asked Danny what the protocol is for bringing issues to him? If anyone on the committee sees something in town can they bring it to him directly? Danny said you can call him directly and he will take it from there. The Mayor added that Danny is a part of the committee since he is the Building Inspector. Keith asked that we add Danny to all of the outgoing emails.

David mentioned that he wanted to take a few of the committee members to Lakeview's Planning & Zoning Committee meeting. David added that their May meeting had been cancelled, but that they will have one in June. David added that they are having a problem with the short-term rentals/VRBO's like we are. We want to attend the next meeting to go over this issue in more detail. We might be able to pick up some information that we can use. David recommends that we attend the next meeting.

David then moved to P&Z tasks. We started the new map and David asked for someone to take on the responsibility of updating it with the help of Danny. Building permits can be put on the map to see where the hot zones will be.

Besides someone updating the map David asked for someone to take over the Chairperson role of the Committee. Danny added that if you see someone around town putting up a fence or building to let him know. He added that recently Bonnie brought a building being built to him and they found out they didn't have a permit. Danny added that he doesn't care about the fee paid, but is the building being done right?

Keith added that enforcement is everything. Scott asked Danny a question if the permits need to be signed off by Danny and by someone from the committee? The mayor added in that yes this is important, but if someone is doing something very minor it would not need to be signed by a Planning & Zoning member. Just the big items like a fence or new building. City Hall staff that issue the permits do give a copy to Planning & Zoning.

Scott asked to make a motion that we all adhere to this type of procedure going forward? Rick asked that we discuss it more in the future before we vote on it. Rick added that we do not need to micromanage Danny's job. Everyone agreed on that. Rick then added that we should find out what Scott's motion will be. Scott said he wants to make a motion that any new construction be under the review of Planning & Zoning along with Danny. Scott made the motion to do this and it was seconded by Keith. All were in favor.

David then went on to discuss election of officers. He mentioned that he is 83 years old and it is time to step back and allow someone else to be the chairperson of the committee. David added that he isn't going anywhere. He will be here to help the new chairperson. David said that he doesn't make decisions every day, but he is contacted 10 to 20 times a month. Mostly the calls are to help the person find the right information.

A little while ago he was given some information by Carol Short, a former chairperson about rules and regulations of the committee. It spells some things out regarding the chairperson. Who will stand up and be our new chairperson. Keith nominated Rick Anderson. Everyone voted in favor of Rick being the new chairperson of the committee. David added that Rick will get all of the information he has on the committee on a thumb drive.

David then asked if Tim will continue serving as the Secretary of the committee. After some discussion Tim said he would stay on to finish out his term. Rick asked about a Deputy Chairperson? Yes we will need to vote on a Deputy Chair. Bonnie is at the end of her five-year term and Tim is getting close to his term. Rick made a motion to appoint Ken as Vice-Chair of the committee. Seconded by Keith. All were in favor.

Tim asked for a recorder that works. Rick nominated Tim as continuing on as Secretary. Seconded by Ken. All were in favor.

David is still going to work on the Operations Guide. He added that this is very important moving forward. This is more about how to do things versus what to do.

Training program is going well.

Carol Duss started recording every contact that she made with a person who called. David has been working on a database with this information. We would have known about small homes and barndominiums before they became an issue. He will show this database to everyone soon, hopefully next month. This will enable the committee to generate any number of reports such as by Ward. Keith asked the mayor if this would help the city out. The mayor mentioned that solar is becoming a bigger issue around the state. We need to get ahead of this issue. Ken asked if a permit is needed for this. Bonnie was not sure if a permit is needed. Danny added that he was not able to find anything in the ordinances about requiring a permit for adding solar panels to a home's roof. Rick added that we should consider this moving forward. Keith mentioned a home near Brown's Beach that has them as well. Tim added that we should look at what other cities are doing with regard to this issue.

David added that we are all volunteers and no one is an expert on these issues. Why the Zoom training is so important. Keith added that we should look into Fayetteville and Hot Springs because solar is booming there. David added that he wanted to bring up the city of Bentonville. They have reached their capacity for affordable homes. They have reached a median housing price of \$500,00.

Teachers cannot afford that. They are creating subdivisions for houses that are lower in price. A person has two options. They can pay more a month, but after a number of years you have to potential to buy into a nicer home. Rick added that he does not see Bull Shoals expanding much more than where we are right now. We need to put in writing that if someone purchases a home here to run as an Airbnb that we need to be aware of that. That anyone coming here can find all of this information in one spot. Rick also asked what sort of application do we have? He looked all over and was not able to find one. Is there an example of an application? Why is it not on the website?

The mayor added that we do have applications for rezoning, but not on the website. We need to have an explanation connected to the application. Keith asked if the fee was \$100 for an application. But this is coming up to the Council in May to increase this fee. Scott asked the mayor if we know how many airbnb's exist in the city? The mayor stated that he knows of at least 12 of them currently. Might be more. The city has not been receiving any bed tax. Scott then added a follow-up question of do we know how many apartments are in the city and how many are open? How many rooms are available?

They mayor was not sure how many rooms some places have. But he will get that information and pass the information on to the committee and add it to the website. Keith said that there are a lot of state laws that resorts do not need to follow, but that apartments do. Any place that has four units connected need to follow such as widened doorways and square footage. This takes the pressure off of us. Scott said the easiest way to look is to go to the State of Arkansas website.

David asked if anyone had anything more to add to the meeting. Merle asked if we have a copy of all of the current permits that have been applied for? Mayor Stahlman said yes we have that and asked who would like that information? He will provide one copy to the committee. Merle said we can go through them and learn from them.

Rick added that we should look at our codes and see if we need to make any changes to them. David thought that was a good idea.

Mayor Stahlman added R2's have a lot of size of 50' by 100'. They were meant for single trailers. If a developer wants to expand this in an area would the committee be open to expanding that square footage for an area to accommodate someone like a teacher to build a tiny home for those who have trouble affording a larger house. We need employees for restaurants and other businesses.

Danny said we need more affordable housing. Let's make a subdivision of these smaller homes. Then we can grow this town.

Merle made a motion to adjourn the meeting. Seconded by Rick. All were in favor.

Meeting adjourned at 7:14pm

Respectfully submitted,

Tim Koenig

Secretary